5P - PUPILS IN WORK-BASED EDUCATION PROGRAMS

A work-based learning program is coordinated by a school district through contract (training agreement) with an employer providing an educational experience related to school instruction (training plan) involving supervised work (employer) and monitored by a certificated instructor employed by the district. A pupil earning school credit in a work-based learning experience may be counted for full-time membership if the requirements that pertain to that particular program type are met.

A. Types of Work-Based Learning Programs

There are two basic types of work-based learning programs that impact Full Time Pupil Membership counts: (1) Paid Student Learner With Training Plan, and (2) Unpaid Student Learner With Training Plan. Within these two types of work-based learning category are programs that relate to (1) general education, (2) career and technical education, or (3) special education. Each of these specific areas are overseen by different areas of government, impacted by different pieces of legislation and funded with different state and/or federal resources. The "Overview of Work-Based Learning Programs" table delineates the types of work-based learning experiences by these three program categories, specifies the individual requirements of each, and identifies the contact person at the state level to address issues pertaining to general education, career and technical education and special education. (See 5P-Attachment)

1. Paid Student Learner with Training Plan

There are four major categories that pertain to the Paid Student Learner with Training Plan:

- a. General Education Student Learner Paid Work Experiences
- b. State-Approved Career and Technical Education Paid Capstone Experiences (Former CTE Cooperative Education)
- c. Special Education Work-Site Based Learning Experiences
- d. School-to-Registered-Apprentice (STRA)

1a. <u>General Education Student Learner Paid Work Experiences.</u> The following requirements must be met for this experience:

• Time and hour restrictions for employing pupil minors <u>must</u> be followed as contained in federal and state regulations (i.e., pupil is to work and go to school not more than 48 hours in one week).

- School districts are responsible for determining the maximum number of pupil hours spent at the worksite that can be counted toward the minimum hours of instruction. (The work-based learning experiences should not generate more than one-half of the pupil's FTE.) The employment of the pupil must not exceed the maximum hours set by the district.
- The pupil's work experience <u>must</u> be monitored by a designated school certificated teacher/coordinator. (see definition)
- The district must have a written training agreement.
- The district <u>must</u> have a training plan for all off-site or on-site work-based placement detailing specific job tasks to be learned by the pupil at the worksite.
- The training plan <u>must</u> provide evidence that the pupil is in a job placement related to their career pathway as evidenced by the pupil's educational development plan (EDP). [PLEASE NOTE THAT THIS REQUIREMENT IS NOT MANDATORY UNTIL 2005-2006.]
- The training plan <u>must</u> provide evidence that this job placement relates to an academic course the pupil is currently enrolled in relating to and preparing the student for the job placement. Examples of these relationships can be viewed by specific job title under tasks, skills, and knowledge statements provided at http://online.onetcenter.org
- A training plan must be written and in place by the pupil membership count date.
- Signatures of principal/or designee, certificated coordinator, student learner, parent/guardian, and training station supervisor (employer) <u>must</u> be contained on the training agreement and training plan. If the training plan and training agreement documents have been combined, one set of signatures is sufficient.
- The training agreement and training plan <u>must</u> have all signatures of required parties.
- Safety instruction appropriate to the placement <u>must</u> be provided by the school and be documented in either the training plan or training agreement.
- The employer or coordinator <u>must</u> maintain and verify records of the pupil's attendance throughout the duration of the training agreement.
- A regular visitation plan, calling for at least one visit every nine week-period to the site by the certificated teacher/coordinator, after first visiting the employer to establish the training station, <u>must</u> be developed with each employer.
- The pupil <u>must</u> be eligible to receive credit towards a high school diploma.

1b. <u>State-Approved Career and Technical Education Paid Capstone Experiences</u> (formerly referred to as CTE Cooperative Education)

In addition to all of the requirements contained under General Education Student Learner Paid Work Experiences (1a above), the following requirements must be met for State-Approved Career and Technical Education Student Learner Work

Experiences to be eligible to receive Added Cost Funding for Capstone Coordination:

- The pupil <u>must</u> have successfully completed 50% or more of the minimum number of minutes allowed for a State-Approved Career and Technical Education (CTE) program.
- The pupil <u>must</u> attend at least one 40 to 60-minute session per week in either (1) the related State-Approved Career and Technical Education classroom, or (2) a district-approved educational course, with academic objectives, related to the pupil's career and educational goals. Either experience must be taught by a vocationally certified teacher or vocationally certified placement coordinator.
- A vocationally certified teacher/coordinator must monitor the pupil's work.
- The pupil participating in a State-Approved Career and Technical Education Paid Capstone Experience <u>must</u> be employed not less than an average of 10 hours per week during the effective time of the training agreement.
- Appropriate documentation must be on file by the student count date(s).

1c. Special Education Work-Site Based Learning Experiences

Pupils receiving special education services may participate, as appropriate, in any work-based education program designed for general education pupils. In doing so, the pupils receiving special education services must meet all of the requirements of that general education work-based program to be counted in membership.

For pupils receiving special education services who require an additional programming option, reference Michigan Administrative Rules governing Special Education Programs and Services, Rule R340.1733(i). This rule describes the program for a student/learner receiving work-site based education through a special education training plan.

This work-site based learning experience, which is either paid or unpaid, is delivered through the special education delivery system. This program must have a written agreement (training plan) that must be signed by the pupil, parent, school and worksite representative. The agreement shall set forth all of the following information:

- Expectations and standards of attainment
- Job activities
- Time and duration of the program
- Wages paid to the pupil, if applicable*
- Related instruction, if applicable

^{*}If a pupil is not receiving wages, the federal criteria for an unpaid trainee must be followed (see definition).

A designated certificated special education staff member must visit the pupil's worksite at least once every 30 calendar days for the duration of the program to check attendance and pupil progress and assess the placement in terms of health, safety and welfare of the pupil.

For a special education pupil receiving work-site based learning experiences under R340.1733(i) to be counted in special education membership, the following must occur:

- Pupil <u>must</u> be enrolled and assigned to a special education teacher,
- The district <u>must</u> have completed a written training plan prior to the count date as described above,
- The employer <u>must</u> maintain verified records of the pupil's attendance,
- The number of worksite hours counted for membership <u>must</u> not exceed the maximum number of worksite hours allowed to be counted for membership, as determined by the district, and
- A staff member <u>must</u> visit the pupil and the pupil's supervisor at the job site at least once every 30 calendar days as described above.

1d. School-to-Registered-Apprentice (STRA)

The School-to-Registered-Apprenticeship Registered Occupational Standards and Training Plan, is a formal, structured, federally recognized program that combines classroom instruction and paid on-the-job training with a local business in an occupation or career. This program is registered with the United States Department of Labor (USDOL) and the Bureau of Apprenticeship and Training (BAT). The following requirements must be met for this experience:

- During the school year, participants in STRA programs <u>must</u> be under the supervision of a certified teacher/coordinator of the school district.
- STRA programs <u>must</u> have a completed and signed training agreement, training plan, and apprenticeship agreement with an employer who must also possess BAT registered occupational standards. The training plan and occupational standards <u>must</u> include all of the following:
 - The length of the program (<u>Note</u>: to qualify for the Michigan Apprenticeship Tax Credit, programs must be a minimum of 4,000 hours).
 - Employer responsibilities.
 - Beginning and ending dates of employment.
 - A detailed list of the specific skills or tasks to be learned during on-the-job training, with an approximate amount of hours to be spent learning and practicing these skills or tasks.
 - Identification of related technical instruction (classroom curriculum).

- A progressive wage scale.
- Safety instruction appropriate to the placement <u>must</u> be provided by the school and be documented in either the training plan or training agreement.
- During the school year the certified teacher/coordinator <u>must</u> monitor the student apprentice attendance and on-the-job training performance.
- A regular visitation plan, calling for at least one visit every nine weeks to the site by the certified teacher/coordinator, after first visiting the employer to approve the site and establish the training station, <u>must</u> be developed with each employer. These visitations are to check the student's attendance, evaluate student progress, and evaluate the site in terms of health, safety and welfare to the students.
- All USDOL/BAT STRA programs <u>must</u> have a ratio of one STRA apprentice to one journeyperson, defined as a qualified supervisor or employee who has mastered the skills, tasks, and duties of the occupation and is recognized as a professional within the industry.
- In addition, if the STRA program pupil involved in on-the-job training during the school day is a pupil from a state-approved career and technical education program and is being claimed for capstone coordination under Added Cost Funding, the requirements contained under "1b. State-Approved Career and Technical Education Paid Capstone Experiences (formerly referred to as CTE cooperative education)" <u>must</u> be followed.

2. Unpaid Student Learner (Trainee) With Training Plan

A student learner may be placed with an employer for a limited time and not be compensated. The unpaid student learner does not perform services for the purpose of advancing the business enterprise of the employer. Rather, the employer permits the student learner to obtain exposure to the work involved in a particular occupation under the supervision of regular employees or the employer. The unpaid student learner has the status of a trainee, not an employee (see definition).

Any placement of an unpaid student learner (trainee) with a training plan must not be for more than a total of 45 hours per specific training experience with the exception of "Unpaid Training/State-Approved Career and Technical Education Less-Than-Class-Size Programs" that must meet state standards for full-year programs.

There are four major categories that pertain to the Unpaid Student Learner (Trainee) With Training Plan:

- a. Unpaid Training/In-School Placements
- b. Unpaid Training/Work Experiences Related to General Education Internships
- c. Unpaid Training/Work Experiences Related to State-Approved Career and Technical Revised 08/04

Education Programs

d. Unpaid Training/State-Approved Career and Technical Education Less-Than-Class-Size (LTCS) Programs

2a. <u>Unpaid Training/In-School Placements</u>

The following requirements must be met for this experience:

- In-school placements for any pupil of any age <u>must</u> have a primary purpose of being educational in nature and primarily of benefit to the pupil.
- Pupils under age 14 must not work more than one hour per day.
- In-school placements <u>must</u> be supervised by certificated staff.
- In-school placements <u>must not</u> violate the Fair Labor Standards Act and the Youth Employment Standards Act.
- Although a <u>training agreement is not required</u> for in-school placements, documentation <u>must</u> exist that contains personal information and specifies responsibilities of the pupil, employer, parent(s), teacher coordinator, and school district. A sample In-School Placement Form can be obtained at www.michigan.gov/mdcd and search Work-Based Learning Guide, Section 8.
- Safety instruction appropriate to the placement <u>must</u> be provided by the school and be documented in either the training plan or training agreement.
- The district <u>must</u> have a training plan for all off-site or on-site work-based placement detailing specific job tasks to be learned by the pupil at the worksite.
- Attendance records <u>must</u> be kept on file.
- The pupil must be eligible to receive credit towards a high school diploma.
- Appropriate documentation must be on file by the student count date(s).

Example: A student is placed in a classroom as a teacher's assistant, in the school office to perform minor clerical tasks, or in the library as an assistant.

2b. Unpaid Training/Work Experiences Related to General Education Internships

- The district <u>must</u> have a written training agreement.
- The district <u>must</u> have a training plan for all off-site or on-site work-based placement detailing specific job tasks to be learned by the pupil at the worksite.
- The training <u>must not</u> be for more than a total of 45 hours per specific training experience.
- These experiences <u>must</u> occur during scheduled classroom time (unless a special exception is documented).

- Safety instruction appropriate to the placement <u>must</u> be provided by the school and be documented in either the training plan or training agreement.
- Appropriate documentation must be on file by the student count date(s).

<u>Example</u>: A pupil who is enrolled in a Social Studies class is placed with a Senator's office as an intern to learn about processes related to the Legislature and is under the direct supervision of an adult. The experience exposes the pupil to many aspects of the legislative process and counts as high school credit. Placements usually occur during scheduled classroom time. For special exceptions, the training plan and agreement must reflect the alternate hours and a certificated instructor/coordinator must be available to monitor this experience during the pupil's training hours.

2c. <u>Unpaid Training/Work Experiences Related to State-Approved Career and Technical Education Programs</u>

- The district <u>must</u> have a written training agreement.
- The district <u>must</u> complete a training plan for all off-site or on-site work-based placement detailing specific job tasks to be learned by the pupil at the worksite.
- The training <u>must not</u> be for more than a total of 45 hours per specific training experience.
- Safety instruction appropriate to the placement <u>must</u> be provided by the school and be documented in either the training plan or training agreement.
- These experiences <u>must</u> occur during scheduled classroom time (unless a special exception is documented).
- These placements <u>must</u> be coordinated by the vocationally certified teacher of the state-approved career and technical education program or a vocationally certified coordinator.
- Appropriate documentation must be on file by the student count date(s).

<u>Example</u>: A pupil is placed in a hospital in the Pediatrics area as part of the state-approved career and technical education Health Sciences Program. Placements usually occur during scheduled classroom time. For special exceptions, the training plan and agreement must reflect the alternate hours and a vocationally certificated instructor/coordinator must be available to monitor this experience during the pupil's training hours.

2d. <u>Unpaid Training/State-Approved Career and Technical Education Less-Than-Class-Size (LTCS) Programs</u>

State-Approved Career and Technical Education Less-Than-Class-Size (LTCS) programs provide an opportunity to students who, because of unique circumstances, do not have a program available through State-Approved Career and Technical Education programs. Each program is contracted with business, industry, or private occupational schools as an alternative method of providing career and technical education not readily available in a public education institution.

The following requirements must be met for this experience:

- The program <u>must</u> align with the student's career pathway and educational development plan.
- The district <u>must</u> have a written training agreement.
- The district <u>must</u> complete a training plan. The instructional plan must be progressive, sequential, and comprehensive in its approach to student learning in the LTCS contracted program.
- Safety instruction appropriate to the placement <u>must</u> be provided by the school and be documented in either the training plan or training agreement.
- A LTCS contracted program <u>must not</u> have more than four (4) pupils per instructor, per instructional site in the same time period.
- Appropriate documentation must be on file by the student count date(s).
- LTCS placements <u>must</u> be established for a time period as defined in the program standards for the career and technical education program (i.e., a minimum of either 7,200 minutes or 14,400 minutes depending on the CTE program).
- A vocationally certified teacher/coordinator <u>must</u> monitor the pupil's work.
- Instruction for pupils <u>must</u> be provided by approved, vocationally-authorized personnel under the jurisdiction of the employer (less-than-class-size annual authorization).

<u>Example</u>: A pupil is placed in a State-Approved Less-Than-Class-Size Career and Technical Education program as a Travel and Tourism Guide under the supervision of a Chamber of Commerce employer who meets the criteria to be a less-than-class-size annually authorized career and technical education instructor. This is considered part of the pupil's school day and is in lieu of a career and technical education program in the classroom.

B. How to Calculate FTE for Pupils in Work-Based Learning Programs

The membership FTE count for a pupil enrolled in a work-based learning program is based on the sum of the number of hours the pupil is enrolled and in attendance at the high school plus the number of hours the pupil is scheduled and attending the on-the-job worksite divided by the minimum required hours of pupil instruction. All work-based education programs may count up to 3 hours per week of actual travel time if necessary for the pupil to receive the minimum instructional hours. Districts that can verify that the actual travel time exceeds the three hours per week that is allowed, under State School Aid Act Section 101(8)(d), and that the travel time is the sole reason that a pupil cannot meet the minimum required hours may apply to the Department of Education for a travel waiver for additional travel time to be counted as pupil instructional time toward the minimum required pupil instructional hours.

Example 1: The district begins first hour at 8:00 a.m. Pupil A attends three 55 minute classes at the high school in the morning and one 55 minute class immediately after lunch. The high school has a five minute passing time between classes. This pupil attends a building and trades program for 120 minutes in the afternoon. The worksite is ten minutes away from the high school. Pupil A's FTE count would be calculated as follows:

At the high school in the morning: $(55 \text{ minutes per class } \times 4 \text{ classes}) + (3 \text{ passing times of } 5 \text{ minutes each}) = (220 \text{ minutes} + 15 \text{ minutes} = 235 \text{ minutes}) 235 \text{ minutes } \times 180 \text{ days} = 42,300 \text{ minutes for the year}$. 42,300 minutes / 60 = 705 hours of high school classes for the year

At the worksite: 120 minutes X 180 days = 21,600 minutes for the year 21,600 minutes / 60 = 360 hours of work-based learning for the year

It takes ten minutes each way to get from the high school to the worksite. Section 101(8)(d) allows up to 36 minutes per day of travel time <u>between instructional sites</u> to be counted as pupil instructional time toward the minimum required 1,098 hours. Pupil A could use up to 20 minutes per day in travel time to get from the high school to the worksite and then back from the worksite to the high school to catch the bus. However, Pupil A needs to count only 15 minutes of the travel time in order to equate to 1.0 FTE. 15 minutes per day for 180 days is 45 hours

705 high school hours

+ 360 work-based hours

1,065 total actual pupil instructional hours.

+ 45 travel hours

1,110 pupil instructional hours (which exceeds 1,098 hours).

Example 2: The district begins first hour at 8:00 a.m. Pupil B begins the day with a 15 minute home room followed by three 55 minute classes at the high school in the morning. The high school has a five minute passing time between classes. This pupil attends an auto

Michigan Department of Education

Pupil Accounting Manual

mechanics program in the neighboring district for 120 minutes in the afternoon. The worksite is twenty miles from the high school which takes approximately thirty minutes travel one way or one hour each day. Pupil B's FTE count would be calculated as follows:

At the high school in the morning: 15 minutes + (55 minutes per class X 3 classes) + (2 passing times of 5 minutes each) (15 minutes +165 minutes + 10 minutes = 190 minutes) X 180 days = 34,200 minutes for the year 34,200 minutes / 60 = 570 hours of high school classes for the year.

At the worksite: 120 minutes X 180 days = 21,600 minutes for the year 21,600 minutes / 60 = 360 hours of work-based learning for the year.

It takes thirty minutes each way to get from the high school to the worksite. Section 101(8)(d) allows up to 36 minutes per day of travel time between instructional sites to be counted as pupil instructional time toward the minimum required 1,098 hours. Pupil B uses 60 minutes per day in travel time to get from the high school to the worksite and then back from the worksite to the high school to catch the bus. Pupil B needs to count all 60 minutes per day, or 180 hours per year, of the travel time in order to equate to 1.0 FTE. The district applies to the Department of Education for a travel waiver to count the additional 24 minutes per day travel time as instruction time for this pupil.

570 high school hours

+ 360 work-based hours

930 total actual pupil instructional hours.

+ 108 travel hours allowed under section 101(8)(d)

1,038 which is still 60 hours short of the minimum required hours.

+ 72 hours waived travel time

1,110 pupil instructional hours (which exceeds the 1,098 hours).

Example 3: The district begins first hour at 8:00 a.m. Pupil C attends three 55 minute classes at the high school in the morning. The high school has a five minute passing time between classes. This pupil attends an allied health program in the neighboring district for 140 minutes in the afternoon. The worksite is twelve miles from the high school which takes approximately twenty minutes travel one way or forty minutes each day. Pupil C's FTE count would be calculated as follows:

At the high school in the morning: (55 minutes per class X 3 classes) + (2 passing times of 5 minutes each) = (165 minutes + 10 minutes = 175 minutes) 175 minutes X 180 days = 31,500 minutes for the year 31,500 minutes / 60 = 525 hours of high school classes for the year

At the worksite: 140 minutes X 180 days = 25,200 minutes for the year 25,200 minutes / 60 = 420 hours of work-based learning for the year

It takes twenty minutes each way to get from the high school to the worksite. Section 101(8)(d) allows up to 36 minutes per day of travel time between instructional sites to be counted as pupil instructional time toward the minimum required 1,098 hours. Pupil C uses 40 minutes per day in travel time to get from the high school to the worksite and then back from the worksite to the high school to catch the bus. The district applies to the Department of Education for a travel waiver to count the additional 4 minutes per day travel time as instruction time for Pupil C. The additional 12 ((180 X 4)/60) hours is not enough time for Pupil C to reach 1,098 hours to be 1.0 FTE. The Department will deny this waiver because travel time is not the sole reason Pupil C does not reach the 1,098 hour requirement.

- 525 high school hours
- + 420 work-based hours
 - 945 total actual pupil instructional hours.
- + 108 travel hours allowed under section 101(8)(d)
 - 1,053 which is still 63 hours short of the minimum required hours.
- + <u>12</u> hours of remaining travel time
 - 1,065 pupil instructional hours which is short of the 1,098 hour requirement.

Travel time is not allowed for this pupil under section 101(8)(d) because travel is not the sole reason this pupil does not reach the minimum required hours to be a full-time pupil.

C. Definition of Terms

Career and Technical Education State-Approved Programs (50%)

All Engineering, Manufacturing and Industrial Technology (EMIT) career pathway CTE Programs and Arts and Communications career pathway CTE Programs are at least 14,400 minutes. Pupils can be placed from these classes after successfully completing 7,200 minutes. All other CTE career pathway programs are at least 7,200 minutes. Pupils can be placed from these programs after successfully completing 3,600 minutes.

Certificated Teacher/Coordinator

General Education Program placements must be monitored by a certified teacher employed by the school district. State-Approved Career and Technical Education Program placements Revised 08/04

Michigan Department of Education

Pupil Accounting Manual

must be monitored by a vocationally certified teacher employed by the district. Special Education Work-Site Based Placements must be monitored by a special education teacher employed by the district.

The certificated teacher/coordinator must do the following:

- Locate prospective training stations.
- Do an evaluation of the potential worksite.
- Provide detailed program information for the purpose of orientation to employers.
- Observe safety conditions on the job.
- Confirm worker's compensation coverage and liability insurance.
- Prepare training agreements.
- Develop training plans.
- Confer with employer for instructional needs of student-learner.
- Confer with student-learner at worksites.
- Maintain teacher/coordinator records.
- Handle student learner work/school issues.
- Maintain student learner wage and hour records.

Student Count Date for Training Plans

The district must have the paperwork in place on the count date for those pupils who are in a work-based placement on the count date. For those pupils who are in regular classes on the count date and are placed in a work-based placement following the count date, the district must complete the paperwork by the time the pupil begins the work-based placement training.

Training Agreement

The training agreement is a written contract that clarifies the specific responsibilities of the student learner, the employer, the parents, the teacher/coordinator, and the school district. A training agreement is a legal document that exempts a student learner from provisions of P.A. 90, Michigan's Youth Employment Standards Act, as it is assumed that schools are able to provide better day-to-day oversight of the student's welfare at a workstation with regard to legal hours, legal job duties and legal age. The training agreement also exempts the student learner from receiving Unemployment Insurance benefits for the period of time covered by the training agreement. The training agreement must be on file at the employer's worksite prior to the pupil beginning work in order for the student learner to be legally employed. Training agreements cannot be written to exempt students from provisions of the federal child labor regulations, except for those detailed in Federal Bulletin 101 (hazardous occupations).

The training agreement must contain the following information:

- Student learner's personal information: employee's name, home address, telephone, birth date, emergency contact information, etc.
- School's name, address, telephone, contact person.
- Employer's name, address, telephone, contact person.
- Beginning and ending dates of the agreement.
- Verification that the employer provides proof of workers' disability compensation and general liability. To verify workers' disability compensation coverage, call the Bureau of Workers' Disability and Compensation at 517-322-1885 or access the web site at www.michigan.gov/wca and click on "insurance coverage look up."
- Daily hours to be worked allow for earliest and latest legal hours to be worked to accommodate variances in pupil work schedules. Hours not listed are not covered by the agreement.
- Beginning rate of pay.
- List of job activities that will contribute to the student learner's progress toward a career objective
- Verification of appropriate safety instruction provided by the school district (may also be verified in training plan).
- Signatures of principal/or designee, certificated coordinator, student learner, parent/guardian, and training station supervisor (employer).

An example of a training agreement can be found on the web at <u>www.michigan.gov/mdcd</u> and search Work-Based Learning Guide/Section 9.

Training Plan

A training plan must include the following:

- List of education goals related to the job placement that align with the student's career pathway contained in their educational development plan (EDP). [PLEASE NOTE THAT THIS REQUIREMENT IS NOT MANDATORY UNTIL 2005-2006.]
- List of job activities that will contribute to the student learner's progress.
- List of employer, school, and student learner responsibilities.
- The beginning and ending dates of agreement.
- The eligible hours to be worked (with beginning and ending times).
- Identification of academic course(s) that the pupil is currently enrolled in relating to and preparing the student for the job placement.
- Verification of appropriate safety instruction provided by the school district (may also be verified in training agreement).

• Signatures of principal/or designee, certificated coordinator, student learner, parent/guardian, and training station supervisor (employer).

An example of a training plan can be found on the web at www.michigan.gov/mdcd and search Work-Based Learning Guide/Section 9.

Unpaid Trainee

The following six federal criteria must be met for a pupil to be considered as an unpaid trainee:

- 1. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in school where curriculum is followed and students are under the continued and direct supervision of representatives of the school or business,
- 2. The training is for the benefit of the trainees or students,
- 3. The trainees or students do not displace regular employees, but work under their close observation,
- 4. The employer who provides the training derives no immediate advantage from the activities of the trainees or students; and on occasion, operations may actually be impeded,
- 5. The trainees or students are not necessarily entitled to a job at the conclusion of the training period, and
- 6. The employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in training.

<u>Unpaid Trainee (Forty-Five (45) Hours of Instruction)</u>

In order to avoid an employer/employee relationship and to maintain a "trainee" relationship under federal definitions, training must not be for more than a total of 45 hours per specific training experience and must be conducted under a written training agreement and a written training plan. Different training experiences can occur at one location if there are multiple training plans with a whole set of separate skills (no duplication of tasks) with the training agreement that clearly define a separate training experience every 45 hours.

Visitation Plan

These visitations by the certified teacher/coordinator are to monitor the progress of the pupil's skill attainment, determine if the pupil is eligible to receive school credit, verify the pupil's attendance, and evaluate the site in terms of health, safety, and welfare of the pupil. More visits may be required depending upon the student learner's progress and needs, the supervisor's experience in working with student learners, and other factors.

D. Regulatory References

Administrative Rule: 340.1733(i) 340.5(1)(c)

U. S. Department of Labor, Fair Labor Standards Act and Michigan's Youth Employment Standards Act

Work-Based Learning Guidelines for State-Approved Career and Technical Education Programs, Office of Career and Technical Preparation. These guidelines can be accessed via the web at www.michigan.gov/mdcd and search "Work-Based Learning Guide," go to first search and then section 9.

State-Approved Career and Technical Education	General Education	Special Education Work-Site Based Placements
*State-Approved Career and Technical Education Program placements must be monitored by a vocationally certified teacher employed by the district.	*General Education Program placements must be monitored by a certified teacher employed by the school district.	*Special Education Work-Site Based Placements must be monitored by a special education teacher employed by the district.
Career and Technical Education (CTE)/Pupil Accounting Contact: Diana Bailey, Program Specialist Michigan Department of Labor & Economic Growth Office of Career and Technical Preparation P. O. Box 30712 Lansing, Michigan 48909 Work Telephone: 517.373.8904 Fax Number: 517.373.8776 Email Address: baileyd@michigan.gov	General Education/Pupil Accounting Contact: Joellen Wonsey, Departmental Technician Michigan Department of Education State Aid & School Finance Office P. O. Box 30106 Lansing, Michigan 48909 Work Telephone: 517.373.3352 Fax Number: 517.241.0196 Email: wonseyj@michigan.gov	Special Education Services/Pupil Accounting Contact: Dianne Easterling, Consultant Michigan Department of Education Financial Management Office of Special Education & Early Intervention Services P.O. Box 30008 Lansing, Michigan 48909 Work Telephone: 517.373.0923 Fax Number: 517.373.7504 Email Address: easterlingd@michigan.gov